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UNITED NATIONS DECADE OF INTERNATIONAL LAW

Report of the Secretary-General

Addendum

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I. INTRODUCTION

1. The present addendum to the report of the Secretary-General on the United Nations Decade of International Law analytically summarizes the replies received between 15 August and 18 September 1992. The information is presented in accordance with the relevant headings of the report. Replies have been received from Argentina, the Netherlands, Poland, the Court of Justice of the Cartagena Agreement and the Institute of International Humanitarian Law.

II. ANALYTICAL PRESENTATION OF THE REPLIES RECEIVED FROM STATES AND INTERNATIONAL ORGANIZATIONS

A. Promotion of the acceptance of and respect for the principles of international law

1. Promoting the acceptance of multilateral treaties

2. Poland reported that it was a party to a growing number of international multilateral instruments, especially in the field of human rights and humanitarian law. Such instruments included the Optional Protocol to the International Covenant on Civil and Political Rights and the Protocols Additional to the Geneva Conventions of 1949 and Relating to the Protection of Victims of Armed Conflicts.

B. Promotion of means and methods for the peaceful settlement of disputes between States, including resort to and full respect for the International Court of Justice

2. Suggestions by States to the Sixth Committee in respect of the promotion of means and methods for the peaceful settlement of disputes between States

3. The Netherlands expressed the view that, within the framework of the Decade, priority should be given to the implementation of international norms and instruments already available, rather than to the setting up of new mechanisms. It called for an increase in the number of States that accept the compulsory jurisdiction of the International Court of Justice. The Netherlands further supported the proposal that the Secretary-General be authorized to request advisory opinions from the International Court of Justice. It noted its contribution to the Secretary-General's trust fund to assist States in the settlement of disputes through the International Court of Justice.

4. The Netherlands stressed the importance it attached to the strengthening of the role of the Permanent Court of Arbitration. It observed that new rules and procedures, which were more responsive to contemporary demands, had been prepared and were currently under review by the Administrative Board. The interest of the Netherlands in the peaceful settlement of disputes was further evidenced by the fact that the Government was co-financing a special issue of the Leiden Journal of International Law, dealing with international adjudication.

5. Poland expressed its support for the preparation and adoption of a convention on the peaceful settlement of disputes between States, which could be prepared by the Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization, by an ad hoc committee established for that purpose or by an international conference convened by the Secretary-General. Poland further observed that it was the first country in Central and Eastern Europe to have recognized the compulsory jurisdiction of the International Court of Justice. Poland also expressed its support for the proposal concerning the establishment of an international criminal court whose jurisdiction would include such cases as crimes against mankind, piracy, illegal traffic of narcotic drugs, hijacking and hostage-taking.

C. Encouragement of the progressive development of international law and its codification

2. Suggestions by States for consideration by the Sixth Committee concerning the progressive development of international law and its codification

6. The Netherlands observed that the consideration of the item on the agenda of the Sixth Committee dealing with the protection of the environment in times of armed conflict could contribute substantially to the objectives of the Decade. Such consideration should first focus on the existing rules and regulations. Thereafter a careful review of these rules and regulations should be undertaken in order to detect possible loopholes and lacunae, and if necessary, proposals aimed at filling these gaps should be put forward.

7. The Netherlands further observed that initial discussions had been undertaken within the framework of the United Nations Educational, Scientific and Cultural Organization (UNESCO), regarding a comprehensive review of the 1954 Hague Convention for the Protection of Cultural Property in the event of Armed Conflict, aimed at a more efficient protection of cultural property during times of armed conflict. The Netherlands intended to present an explanatory note on the matter at the forthcoming meeting of the Executive Board of UNESCO in October 1992.

D. Encouragement of the teaching, study, dissemination and wider appreciation of international law

3. Promotion of the teaching of international law for students and teachers at schools and at higher education levels and international cooperation for that purpose

8. The Netherlands reported that the introduction of a compulsory course in public international law at the graduate level for all law faculties in that country was under consideration. It further observed that the Government was co-financing an exchange programme of the Universities of Leiden and Groningen and the Universities of Mar del Plata and Buenos Aires. The programme would concentrate on the international legal implications of the concept of sustainable development, marine pollution and international protection of the Antarctic environment. Moreover, the Government of the Netherlands was financing a project whereby a five-year subscription to three Dutch law journals was donated to 30 selected universities in developing countries.

9. Poland indicated that international law was included in the programme of studies of the law faculties of all Polish universities.

4. Organization of international and regional seminars and symposia for experts on international law

10. The Netherlands observed that the Universities of Amsterdam, Leiden and Utrecht would organize an international space law conference, co-financed by the Government of the Netherlands. The conference would give special attention to the position of developing countries with respect to the use of outer space, in particular regarding satellite communication and remote sensing.

11. Poland noted that each year, Polish universities and other scientific centres organized many seminars and summer courses, particularly on human rights and humanitarian law.

12. The International Institute of Humanitarian Law reported that it organized annual round tables, in which experts from Governments, international organizations, humanitarian institutions and individual experts had informal dialogues on current problems of international humanitarian law. The 1991 round table addressed questions regarding the implementation of international humanitarian law, the repression of violations, and reviewed problems that arose in the Gulf War. The 1992 round table dealt with the evolution of the right to assistance. Furthermore, the Institute, in the context of a research project aimed at a substantial reformulation of the existing law of war at sea in the light of recent developments in international law as well as of modern warfare conditions and technology, had organized an expert meeting that would address the issue of naval zones, to be held at Ottawa from 25 to 28 September 1992.

5. Training in international law for legal professionals and government officials organized by States and international organizations

13. Poland observed that Polish diplomats, professors and students took part in various seminars, conferences and meetings on international law and international relations as often as possible.

14. The International Institute of Humanitarian Law pointed out that it regularly organized courses on the law of armed conflicts for officers of national armed forces with the support of the International Committee of the Red Cross. These courses also dealt with the special role of United Nations peace-keeping forces. In addition, the Institute organized, in collaboration with the Office of the United Nations High Commissioner for Refugees (UNHCR), courses on international refugee law, specifically intended for government officials dealing with refugee problems. Furthermore, a training programme to promote the effective application of human rights in developing countries started in 1988, on the initiative of the Institute and the United Nations Centre for Human Rights, with the support of the Government of Italy. The programme was attended by members of the judiciary and high-ranking officials from developing countries. The Institute had also organized a series of seminars on asylum, the aliens and refugees, from 1989 to 1991, with the participation of practitioner lawyers, judges and administrative and police officials from European Mediterranean countries.

8. Wider publication of the judgements and advisory opinions of other international courts and tribunals and summaries thereof

15. The judgments of the Court of Justice of the Cartagena Agreement are published in the Gaceta Oficial del Acuerdo or in the Registro Oficial de la República de Ecuador.

E. Procedures and organizational aspects

2. Establishment of national, subregional and regional committees for the implementation of the Programme

16. Argentina reported that it had established a National Follow-up Committee for the Programme for the United Nations Decade of International Law, to be chaired by the Legal Counsel of the Ministry of Foreign Affairs and Worship, and consisting of specialists in international law. The main function of the Committee would be to advise the national authorities on all matters relating to the implementation of the programme for the United Nations Decade of International Law.

17. The Netherlands pointed out that the Minister of Foreign Affairs had requested the National Advisory Committee on Questions related to Public

International Law, a body of which all professors of public international law in the Netherlands were members, to examine which initiatives could be proposed and/or supported by the Netherlands as a contribution to the Decade. In this way, an important input to government policies was given by non-governmental representatives.